

HOUSE BILL REPORT

HB 2016

As Reported by House Committee On:
Criminal Justice & Corrections

Title: An act relating to partial confinement options for certain drug offenders.

Brief Description: Revising partial confinement options for certain drug offenders.

Sponsors: Representatives Kagi, O'Brien, Uptegrove, Appleton, Nixon, Chase, Kenney, Roberts, Dickerson, McDonald, Wood and Darneille.

Brief History:

Committee Activity:

Criminal Justice & Corrections: 2/22/05, 2/24/05 [DP].

Brief Summary of Bill

- Expands the definition of partial confinement to include "residential chemical dependency treatment."
- Allows the last 12 months of an offender's sentence to be converted to partial confinement.

HOUSE COMMITTEE ON CRIMINAL JUSTICE & CORRECTIONS

Majority Report: Do pass. Signed by 4 members: Representatives O'Brien, Chair; Darneille, Vice Chair; Kagi and Kirby.

Minority Report: Do not pass. Signed by 3 members: Representatives Pearson, Ranking Minority Member; Ahern, Assistant Ranking Minority Member; and Strow.

Staff: Yvonne Walker (786-7841).

Background:

Partial confinement is defined as confinement for no more than one year in a facility operated or utilized under contract by local or state government. An offender sentenced to a term of partial confinement must be confined in the facility for at least eight hours per day or for a substantial portion of each day with the balance of the day spent in the community. The offender must be required as a condition of partial confinement to report to the facility at designated times. During the period of partial confinement, an offender may be required to comply with crime-related prohibitions and affirmative conditions imposed by the court or the

Department of Corrections (DOC). Partial confinement includes work release, home detention, work crew, and a combination of work crew and home detention.

The DOC may convert the last six months of an offender's sentence to partial confinement to aid the offender in finding work and reestablishing himself or herself in the community.

Summary of Bill:

The definition of partial confinement is expanded to include residential chemical dependency treatment.

The DOC may convert the last 12 months instead of the last six months of an offender's sentence to partial confinement to aid the offender in finding work and reestablishing himself or herself in the community.

Appropriation: None.

Fiscal Note: Requested on February 16, 2005.

Effective Date: The bill contains an emergency clause and takes effect on July 1, 2005.

Testimony For: The Superior Court Judges Association supports this bill and has urged the Legislature to adopt something like this for a number of years. It is another tool for judges to use in addition to such programs as home detention. A community residential chemical dependency program is an appropriate addition to the definition of partial confinement.

The DOC supports this bill and realizes that it will give the department an additional option to use for offenders. This will help drug offenders to go into treatment in the community. In addition, currently the DOC is restricted from placing offenders in partial confinement for more than six months. This bill will expand partial confinement to 12 months and is a positive move from the department's perspective.

Testimony Against: None.

Persons Testifying: Representative Kagi, prime sponsor; Judge Deborah Fleck, Superior Court Judges Association; and Anne Fiala, Department of Corrections.

Persons Signed In To Testify But Not Testifying: None.